

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/627140
	Filing Date	July 25, 2003
	First Named Inventor	DW Piotrowski
	Art Unit	1614
	Examiner Name	unknown
Total Number of Pages in This Submission	Attorney Docket Number	01085.US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	A return-receipt postcard is enclosed. 1449 form.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	International Search Report with references.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Pharmacia & Upjohn Company, Mary J. Hosley, Reg. No. 48,324
Signature	<i>Mary J. Hosley</i>
Date	February 9, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Carolyn Vander Molen		
Signature	<i>Carolyn Vander Molen</i>	Date	February 9, 2004

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# FEE TRANSMITTAL

## for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

### Complete if Known

Application Number **10/627140**  
Filing Date **July 25, 2003**  
First Named Inventor **DW Piotrowski**  
Examiner Name **unknown**  
Art Unit **1614**  
Attorney Docket No. **01085.US1**

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

**21-0718**

**Pharmacia & Upjohn Company**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					<b>(\$0.00)</b>

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims		-20** = 0	X \$0.00	= \$0.00
Independent Claims		-3** = 0	X \$0.00	= \$0.00
Multiple Dependent			0.00	= 0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	<b>180.00</b>
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00**

### SUBMITTED BY

Name (Print/Type) **Mary J. Hosley**

Registration No. **48,324**  
(Attorney/Agent)

(Complete if applicable)

Telephone **(269) 833-0975**

Signature

*Mary J. Hosley*

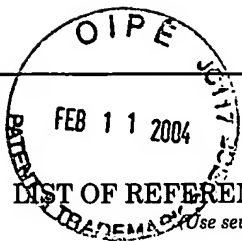
Date

**February 9, 2004**

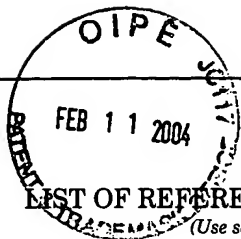
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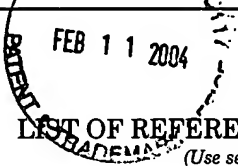
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



<b>LIST OF REFERENCES CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>				Atty. Docket No. 01085.US1		Serial No. 10/627,140			
				Applicant      Piotrowski et al.					
				Filing Date      25 July 2003		Group    1614			
<b>U.S. PATENT DOCUMENTS</b>									
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate		
	AA	US 2002/0042429 A1	Apr. 11, 2002	Myers, et al.	514	305			
	AB	5,977,144	Nov. 2, 1999	Edwin Meyer, et. al.	514	334			
	AC	5,837,489	Nov. 17, 1998	Kathryn J. Elliott, et. al.	435	69.1			
	AD	5,712,270	Jan. 27, 1998	Annmarie L. Sabb	514	212			
	AE	5,624,941	Apr. 29, 1997	F Barth et al.	514	326			
	AF	5,561,149	Oct. 1, 1996	Moise Azria, et. al.	514	397			
	AG	5,510,478	Apr. 23, 1996	Annmarie L. Sabb	540	585			
	AH	5,364,863	Nov. 15, 1994	ML Cohen, et. al.	514	304			
	AI	5,342,845	Aug. 30, 1994	S Chokai, et. al.	514	305			
	AJ	5,273,972	Dec. 28, 1993	G, E. Jagdmann, et. al.	514	210			
	AK	5,246,942	Sep. 21, 1993	RD. Youssefeyeh, et. al.	514	305			
	AL	5,237,066	Aug. 17, 1993	N. A. M. Dorme, et. al.	546	133			
	AM	5,236,931	Aug. 17, 1993	G.E. Jagdmann, et. al.	514	305			
	AN	5,217,975	Jun. 8, 1993	HJ Wadsworth, et. al.	514	299			
	AO	5,206,246	Apr. 27, 1993	Michel Langlois, et. al.	514	272			
	AP	5,183,822	Feb. 2, 1993	I. Van Wijngaarden, et. al.	514	305			
	AQ	5,175,173	Dec. 29, 1992	Jung-Hui Sun	514	305			
	AR	5,106,843	Apr. 21, 1992	T. J. Ward, et. al.	514	213			
	AS	5,070,095	Dec. 3, 1991	G. E. Jagdmann, Jr., et. al.	514	305			
	AT	5,057,519	Oct. 15, 1991	Stacy N. Suberg	514	282			
	AU	5,039,680	Aug. 13, 1991	Assunta Imperato, Dietmar Romer	514	304			
	AV	5,025,022	Jun. 18, 1991	R. J. Naylor, et. al.	514	305			
	AW	5,017,580	May 21, 1991	R. J. Naylor, et. al.	514	299			
	AX	4,988,691	Jan. 29, 1991	G Benelli, et. al.	514	214			
	AY	4,921,982	May 1, 1990	Marlene L. Cohen, William B. Lacefield, David W. Robertson	549	462			



LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				Atty. Docket No. 01085.US1		Serial No. 10/627,140		
				Applicant      Piotrowski et al.				
				Filing Date      25 July 2003		Group      1614		
	AZ	4,835,162	May 30, 1989	Leo G. Abood	514	305		
	BA	4,822,795	Apr. 18, 1989	FD King	514	214		
	BB	4,803,199	Feb. 7, 1989	Peter Donatsch, Gunter Engel, Bruno Hugi, Brian P. Richardson, Paul A. Stadler	514	214		
	BC	4,798,829	Jan. 17, 1989	Francis D. King, Karen A. Joiner	514	214		
	BD	4,789,673	Dec. 6, 1988	P Donatsch, ET AL.	514	214		
	BE	4,721,720	Jan. 26, 1988	Gordon Wootton, Gareth J. Sanger	514	304		
	BF	4,657,911	Apr. 14, 1987	Thierry F. Imbert, Nicole A. M. Dorme, Michel Langlois	514	272		
	BG	4,605,652	Aug. 12, 1986	WJ Welstead, Jr.	514	214		
	BH	3,702,324	Nov. 7, 1972	Wilfred A. Skinner, John G. Johansson, Howard L. Johnson	260	293.53		
FOREIGN PATENT DOCUMENTS								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	BI ✓	WO 03/029252	April 10, 2003	WIPO	C07D	453/02		
	BJ ✓	WO 01/60821	August 23, 2001	WIPO	C07D	453/02		
	BK ✓	WO 01/36417 A1	May 25, 2001	WIPO	C07D	451/04		
	BL ✓	WO 00/73431 A2	Dec. 7, 2000	WIPO	C12N	15/00		
	BM ✓	WO 98/54189	Dec. 3, 1998	WIPO	C07D	491/20		
	BN ✓	WO 97/30998	August 28, 1997	WIPO	C07D	453/02		
	BO ✓	WO 92/15579	Sep. 17, 1992	WIPO	C07D	451/00		
	BP ✓	WO 92/11259	July 9, 1992	WIPO	C07D	451/04		
	BQ ✓	WO 90/14347 (with translated version)	November 29, 1990	WIPO	C07D	453/02	English and Japanese Version	

<div style="text-align: center;">  <p><b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)</p> </div>				Atty. Docket No. 01085.US1		Serial No. 10/627,140				
				Applicant      Piotrowski et al.						
				Filing Date      25 July 2003		Group    1614				
	BR ✓	EP 247,266 A1	Dec. 02, 1987	Europe	C07D	451/04				
	BS ✓	EP 327,335 A1	Aug. 9, 1989	Europe	A61K	31/435				
	BT ✓	EP 378,111 A1	July 18, 1990	Europe	C07D	413/12				
	BU ✓	EP 512,350 A2 (with translated version)	November 11, 1992	Europe	C07D	453/02	English and German Version			
	BV ✓	DE 3810552A1 (with translated version)	October 19, 1989	Germany	C07D	451/12	English and German Version			
	BW ✓	FR 2625678	January 13, 1988	France	A61K	31/435	English and French Version			
	BX ✓	JP 04-247081	September 3, 1992 Japan	Japan	C07D	451/04	English and Japanese			
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)										
	BY ✓	Bannon, A. W., et. al., Science, "Broad-Spectrum, Non-Opioid Analgesic Activity by Selective Modulation of Neuronal Nicotinic Acetylcholine Receptors", Vol. 279, 77-81, 1998.								
	BZ ✓	Holladay, Mark W., et. al., <i>Journal of Medicinal Chemistry</i> . "Neuronal Nicotinic Acetylcholine Receptors as Targets for Drug Discovery", 1997, Vol. 40, No. 26, 4169-4194								
	CA ✓	Kem, William R., <i>Behavioural Brain Research</i> . "The brain alpha 7 nicotinic receptor may be an important therapeutic target for the treatment of Alzheimer's disease: studies with DMXBA (GTS-21)." 113 (2000) 169-181.								
	CB ✓	Macor, J. E., et. al., <i>Bioorganic &amp; Medicinal Chemistry Letters</i> . "The 5-HT <sub>2</sub> Antagonist Tropisetron (ICS 205-930) is a Potent and Selective α7 Nicotinic Receptor Partial Agonist." 11 (2001) 319-321.								
Examiner				Date Considered						